

# **EXHIBIT F**

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January 2, 2019

**BY ELECTRONIC MAIL**

Arbitrator Martin Scheinman  
322 Main Street  
Port Washington, NY 11050

**Re: 1199 Home Care Industry Wage and Hour Grievance**

Dear Arbitrator Scheinman:

As you know, this firm represents 1199SEIU United Healthcare Workers East (“1199” or “Union”). Throughout the home care industry, you have been designated by the parties as the named mediator and arbitrator for claims arising under the Fair Labor Standards Act, New York Home Care Worker Wage Parity Law, and/or the New York Labor Law (“Covered Statutes”). As we have written previously, there is currently uncertainty in the law with respect to the 13-hour rule, which has permitted the exclusion of sleep and meal breaks while on 24-hour shifts. Given recent legal developments, we had asked you to stay all pending cases before you until the New York Court of Appeals rules on the continued validity of the 13-hour rule.

Given the continuing judicial uncertainty, 1199 now hereby files a class action grievance on behalf of all of its home care bargaining unit members employed by various agencies concerning claims that employees were not properly paid on 24-hour cases and with respect to any other outstanding wage and hour claims arising under the Covered Statutes (see list of agencies attached hereto as Ex. A). By doing so, the Union wishes to ensure the continued preservation of its members’ rights under both the applicable collective bargaining agreements and the law.

# **LEVY RATNER, P.C**

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I have copied attorneys who represent the various agencies against which this grievance is filed. In addition, 1199 will serve a copy of this letter on all of the agencies at which it represents home care workers.

Very truly yours,



Laureve Blackstone

Cc: Douglas Klein, Esq., Jackson Lewis  
Eric Simon, Esq., Jackson Lewis  
Felice Ekelman, Esq., Jackson Lewis  
Kenneth Kirschner, Esq., Hogan Lovells  
Mark Grossman, Esq., Schulte Roth & Zabel  
Scott Gold, Esq., Schulte Roth & Zabel  
Stephen Zweig, Esq., Ford Harrison  
Phil Davidoff, Esq., Ford Harrison  
Michael McGahan, Esq., Epstein Becker Green  
Jonathan Arfa, Esq.  
Fred Braid, Esq., Holland & Knight  
Cesar Perez, Esq., Premier Home Health Care Services  
Toni Florentino, Esq., Collazo Florentino & Keil  
Gregory Begg, Esq., Peckar & Abramson  
Mark Gloade, Esq., Northwell  
Richard Reibstein, Esq., Locke Lord  
Emina Poricanin, Esq., Hodgson Russ  
Robert Wiesen, Esq., Clifton Budd DeMaria  
Michael Collins, Esq., Bond Schoeneck & King

**Exhibit A**  
**List of 1199 Home Care Agencies**

Alliance Home Services  
All Season Home Attendant  
Bronx Jewish Community Council Home Attendant Services  
Bushwick Stuyvesant Heights Home Attendants  
C.I.D.N.Y. Independent Living Services  
Chinese-American Planning Council  
Family Home Care Services of Brooklyn and Queens  
FEGS Home Care  
First Chinese Presbyterian CAHA  
Home Care Services for Independent Living  
Home Health Management  
Home Attendant Services of Hyde Park  
New York Foundation  
P.S.C. Community Services, Inc.  
RAIN Home Attendant Services, Inc.  
Richmond Home Needs  
Ridgewood Bushwick – RiseBoro Homecare, Inc.  
Rockaway Home Attendant  
School Settlement Home Attendant Corp.  
Social Concern Community Development Corp.  
Saint Nicholas Human Support Corp.  
Stella Orton Home Care  
United Jewish Council of the East Side Home Attendant Services  
ABC Health Services Registry  
AccentCare  
All Metro Aids, Inc d/b/a All Metro Health Care  
Alliance for Health  
Azor Home Care  
BestCare  
Best Choice  
Care at Home  
Cooperative Home Care Associates  
Fed Cap Home Care  
Isabella Visiting Care  
Neighbors Home Care  
Partners in Care  
People Care  
Personal Touch  
Premier Home Health Care  
Prestige Care  
Priority Home Care  
Region Care  
Special Touch  
Sunnyside Home Care Project and Sunnyside Citywide Home Care  
Wartburg – No Place Like Home Care  
Riverspring LHC SA  
Unlimited Care, Inc.  
Bronxwood Home for the Aged, Inc.  
MJHS Homecare Solutions d/b/a HomeFirst LHC SA, Inc.